

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

**FILED**

MAY 23 2012

SECRETARY, BOARD OF  
OIL, GAS & MINING

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IN THE MATTER OF FORMAL	:	ORDER AMENDING
RULEMAKING TO AMEND THE	:	COAL PROGRAM R645 RULES
COAL REGULATORY PROGRAM R645	:	
RULES FOR OWNERSHIP AND	:	DOCKET NO. 2012-008
CONTROL AS REQUESTED BY OFFICE	:	CAUSE NO. RCOAL-2012-01
OF SURFACE MINING	:	

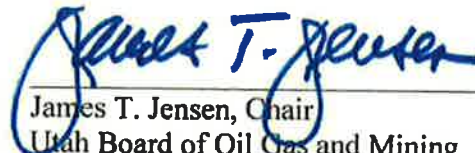
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Pursuant to the Request of the Division of Oil, Gas & Mining ("Division") filed with the Board of Oil, Gas & Mining ("Board"), the Request for Formal Rulemaking to Amend the Coal Program R645 Rules was presented for action by the Board at its regularly scheduled hearing on May 23, 2012 with Board members Ruland J. Gill, Kelly L. Payne, Jake Y. Harouny, Jean Semborski, Chris D. Hansen, Carl F. Kendall, and James T. Jensen, Chair present and participating in the hearing. Steve Alder, Assistant Attorney General, represented the Division.

Steven Schneider presented the Board with a summary of the actions taken by the Board and Division to comply with the Utah Administrative Rulemaking Act, Utah Code §§63G-3-101 et seq. (2012); specifically: that at its regularly scheduled hearing on March 28, 2012, the Board approved commencement of formal rulemaking for adoption of new or amended rules collectively referred to as "ownership and control" rules as requested by the Office of Surface Mining; the eRules filing was completed on March 30, 2012 and the proposed rule amendments appeared in the Utah State Bulletin on April 15, 2012; the Utah State Bulletin gave notice that there would be an opportunity for public comment as part of the Board hearing on April 25, 2012; that a 30-day comment period was provided extending through May 15, 2012; that no objections were received; and that more than 7 days have elapsed since the close of the comment period.

The Board being fully advised, after consideration of all comments, based on the reasons stated in the Request, and for good cause appearing does by unanimous vote of those present hereby Order amendment of Coal Program Rules in R645 as specified in the Request, effective upon the execution and entry of this Order.

DATED this 23rd day of May, 2012.

  
James T. Jensen, Chair  
Utah Board of Oil Gas and Mining

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing ORDER for Docket No. 2012-008, Cause No. RCOAL-2012-01 to be mailed with postage prepaid, this 2<sup>nd</sup> day of May, 2012, to the following:

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*Via Email*

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